

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
MONTGOMERY DIVISION**

**BETTY ANN BURKS, et al.,**

**Plaintiffs,**

**v.**

**EQUITY GROUP EUFAULA  
DIVISION, LLC,**

**Defendant.**

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**CIVIL ACTION NO.  
2:06-cv-01081-MEF-DRB**

**NOTICE OF FILING ADDITIONAL NOTICES OF CONSENT TO  
JOIN**

Plaintiff, BETTY ANN BURKS, et al., gives notice of filing the attached Notices of Consent to Join executed by, JAMES E. FENN, KATRINA GILBERT, QUINTANA HENRY, CHRISTOPHER JACKSON, ASHLEE SHUNTEL JONES, NAKIA PRESTON LYNN, VANESSA MAHONE, SHAUNDA PITT, FRANTELLA OLIVER, SHERMILL SMITH and STEVEN T. SMITH, similarly situated employees to Plaintiffs, who likewise are or were subjected to the illegal pay practices at issue, and who wish to join the above-captioned lawsuit.

Dated: February 20, 2007

Respectfully submitted,

**THE COCHRAN FIRM, P.C.**

/s/ Robert J. Camp

**ROBERT J. CAMP**

505 North 20<sup>th</sup> Street, Suite 825

Birmingham, AL 35203

(205) 930-6900 (Phone)

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– and –

Bernard D. Nomberg

**THE COCHRAN FIRM, P.C.**

505 North 20<sup>th</sup> Street, Suite 825

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(205) 930-6900 (Phone)

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– and –

Samuel A. Cherry, Jr.

Lance H. Swanner

**THE COCHRAN FIRM, P.C.**

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P. O. Box 927

Dothan, AL 36302

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(334) 793-8280 (Fax)

– and –

Richard Celler

**MORGAN & MORGAN, P.A.**

284 South University Drive

Fort Lauderdale, Florida 33324

Toll Free: 1-877-435-9243 (WAGE)

Facsimile: (954) 333-3515

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 20, 2007, I electronically filed the foregoing with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to:

Courtney Reilly Potthoff  
[cpotthoff@mindspring.com](mailto:cpotthoff@mindspring.com)

Joel P. Smith, Jr.  
[joelpsmith@bellsouth.net](mailto:joelpsmith@bellsouth.net)

/s/ Robert J. Camp  
**ROBERT J. CAMP**

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

JAMES E. FENN states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group, LLC  
KEYSTONE FOODS at  
[Name of plant] the facility located in Baker Hill AL. I worked at this location from  
[City/State] 10-4-04 to 2-15-06.  
[Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action, covering employees at the Equity Group, LLC  
KEYSTONE FOODS plant in Baker Hill AL, and  
[Name of Plant] [City/State] possibly other plants owned by Equity Group, LLC. If brought as a class  
[Name of Plant] action under either federal or state law, I agree to be a named Plaintiff in such class.

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 12<sup>th</sup> day of Dec, 2006. ad

JAMES EARL FENN  
[PRINT NAME]

James E. Fenn  
[SIGN NAME]

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

Katrina Gilbert states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group, LLC at  
[Name of plant]  
the facility located in Baker Hill, AL. I worked at this location from  
[City/State]  
2/2001 to 7/2005.  
[Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action covering employees at the Equity Group, LLC plant in Baker Hill, AL, and  
[Name of Plant] [City/State]  
possibly other plants owned by Equity Group, LLC. If brought as a class  
[Name of Plant]  
action under either federal or state law, I agree to be a named Plaintiff in such class.

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 24<sup>th</sup> day of Jan., 2008 07 00

Katrina Gilbert  
[PRINT NAME]

Katrina Gilbert  
[SIGN NAME]

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

Quintana Henry states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group, LLC at  
[Name of Plant]  
the facility located in Bakerhill, AL. I worked at this location from  
[City/State]  
3/31/06 to 4/30/06.  
[Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action covering employees at the Equity Group, LLC plant in Bakerhill, AL, and  
[Name of Plant] [City/State]  
possibly other plants owned by Equity Group, LLC. If brought as a class  
[Name of Plant]  
action under either federal or state law, I agree to be a named Plaintiff in such class.

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 11 day of February, 2007.

Quintana Henry  
[PRINT NAME]

Quintana Henry  
[SIGN NAME]

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

Christopher Jackson states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group, LLC at  
[Name of plant]  
the facility located in Bakerhill, AL. I worked at this location from  
[City/State]  
01/29/99 to Present  
[Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action covering employees at the Equity Group, LLC plant in Bakerhill, AL, and  
[Name of Plant] [City/State]  
possibly other plants owned by Equity Group, LLC. If brought as a class  
[Name of Plant]  
action under either federal or state law, I agree to be a named Plaintiff in such class.

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 28 day of Dec., 2006.

Christopher D. Jackson  
[PRINT NAME]

Christopher D. Jackson  
[SIGN NAME]

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

Ashlee Shuntel Jones states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group of Bufoaket, LLC <sup>Division</sup> the facility located in Bakerhill, Ala. <sup>[Name of plant]</sup> I worked at this location from Feb. 6, 2006 to Sept. 1, 2006 Present  
[Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action covering employees at the Equity Group Division <sup>[Name of Plant]</sup> plant in Bakerhill, Ala. <sup>[City/State]</sup> and possibly other plants owned by Equity Group Division, LLC <sup>[Name of Plant]</sup> If brought as a class action under either federal or state law, I agree to be a named Plaintiff in such class.

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 1st day of Sept., 2006. as

Ashlee Shuntel Jones  
[PRINT NAME]

Ashlee Jones  
[SIGNATURE]



**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

Nakia Preston Lynn states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Keystone-Equity Group at the facility located in Bakerhill, AL. I worked at this location from Sept. 1998 to Aug. 2004.  
[Name of plant] [City/State] [Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action covering employees at the Keystone-Equity Group plant in Bakerhill, AL, and possibly other plants owned by Keystone-Equity Group if brought as a class action under either federal or state law, I agree to be a named Plaintiff in such class.  
[Name of Plant] [City/State] [Name of Plant]

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 13 day of November, 2006.

Nakia Preston Lynn  
[PRINT NAME]

Nakia Preston Lynn  
[SIGN NAME]

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

VANESSA MAHONE states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group, LLC  
CHARLEN FORPHAND at  
[Name of plant]  
the facility located in BAKER HILL, AL. I worked at this location from  
[City/State]  
OCTOBER, 2003 to SEPTEMBER, 2005  
[Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that Equity Group, LLC  
this suit may be brought as a class action covering  
employees at the CHARLEN FORPHAND plant in BAKER HILL, AL, and  
[Name of Plant] [City/State]  
possibly other plants owned by CHARLEN FORPHAND. If brought as a class  
[Name of Plant] Equity Group, LLC  
action under either federal or state law, I agree to be a named Plaintiff in such class.

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 24 day of January, 2007

VANESSA MAHONE  
[PRINT NAME]

Vanessa Mahone  
[SIGN NAME]

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

Shaunda Pitt

[Print Name]

states the following:

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group, LLC at the facility located in Bakerhill, AL. I worked at this location from Jan. 2005 to Aug. 2005.  
[Name of plant] [City/State] [Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action covering employees at the Equity Group, LLC plant in Bakerhill, AL and possibly other plants owned by Equity Group, LLC. If brought as a class action under either federal or state law, I agree to be a named Plaintiff in such class.  
[Name of Plant] [City/State] [Name of Plant]

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 15 day of February 2007.

Shaunda Pitt  
[PRINT NAME]

[Signature]  
[SIGN NAME]

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

Frantrella Oliver states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group, LLC at  
[Name of Plant]  
the facility located in Bakerhill, AL. I worked at this location from  
[City/State]  
11/07/2005 to Present.  
[Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action covering employees at the Equity Group, LLC plant in Bakerhill, AL, and  
[Name of Plant] [City/State]  
possibly other plants owned by Equity Group, AL. If brought as a class  
[Name of Plant]  
action under either federal or state law, I agree to be a named Plaintiff in such class.

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 10 day of February, 2007.

Frantrella Oliver  
[PRINT NAME]

Frantrella Oliver  
[SIGN NAME]

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

Shermill Smith states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group, LLC at  
[Name of plant]  
the facility located in Baker Hill, AL. I worked at this location from  
[City/State]  
7/11/2004 to 4/21/2005.  
[Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre- and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action covering employees at the Equity Group, LLC plant in Baker Hill, AL, and  
[Name of Plant] [City/State]  
possibly other plants owned by Equity Group, LLC. If brought as a class  
[Name of Plant]  
action under either federal or state law, I agree to be a named Plaintiff in such class.

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 25<sup>th</sup> day of Jan., 2007.

Shermill N. Smith  
[PRINT NAME]

Shermill N. Smith  
[SIGN NAME]

**CONSENT TO JOIN SUIT AS PARTY PLAINTIFF**

**TO: CLERK OF THE COURT AND COUNSEL OF RECORD**

Steven T. Smith states the following:  
[Print Name]

1. I am over 18 years of age and competent to give the following consent in this matter.
2. I am currently, or was formerly employed, by Equity Group, LLC at  
[Name of Plant]  
the facility located in Baker Hill, AL. I worked at this location from  
[City/State]  
2/16/2006 to present.  
[Date] [Date, or if still working write "present"]
3. I understand that this suit is being brought to recover compensation for pre-and post-production time activities from my employer. I also understand that the lawsuit may seek recovery for unpaid production time. I understand that the suit is brought pursuant to both federal law and applicable state statutes, if any.
4. I believe I have not been paid for all compensable time, which I have worked, including overtime.
5. I hereby consent and agree to be a plaintiff herein and to be bound by any settlement of the case or adjudication by the Court.
6. I understand that this suit may be brought as a class action covering employees at the Equity Group, LLC plant in Baker Hill, AL, and  
[Name of Plant] [City/State]  
possibly other plants owned by Equity Group, LLC if brought as a class  
[Name of Plant] as  
action under either federal or state law, I agree to be a named Plaintiff in such class.

I swear or affirm that the foregoing statements are true to the best of my knowledge.

DATED the 10 day of February, 2007.

Steven T. Smith  
[PRINT NAME]

Steven T. Smith  
[SIGN NAME]